

REMARKS

I. Status of the Claims

Claims 1-24 stand rejected. By this Amendment, Applicants amended claims 1, 5-7, 10, 13-19, and 21-24 to more particularly point out and distinctly claim what Applicants regard as the invention. New claim 25 has been added. Thus, claims 1-25 are currently pending.

Support for the amendments can be found throughout the specification, including the original claims and the drawings. For example, support for the amendments to claim 1 can be found in the original claim 1, in paragraphs [0023] and [0026], as well as in the Figures 4-10 in U.S. Patent Application Publication No. 2008/0199747 ("the '747 publication"), which is the U.S. patent application publication for the instant application. Support for claim 25 can be found in paragraph [0027] and Figures 11-13 in the '747 publication.

No new matter has been introduced. Applicants request reconsideration of the application in view of the foregoing amendments and the following remarks.

II. Telephonic Interview

The Examiner and the Applicants' representative conducted a telephonic interview on February 18, 2009, to discuss amendments to the drawings and to the claims. The Examiner agreed in general that the proposed amendments to claims put the claims in compliance with the Patent Office rules and regulations.

The Examiner also pointed out that Figure 3 is unclear as to whether the frame (111) is attached to the current collector (106) and encouraged Applicants to clarify by amending Figure 3.

III. Amendments to Drawings

Figure 3 was objected to as failing to comply with 37 CFR 1.84(p)(5) since it does not contain numeral 102 that appears in paragraph [0020] in the '747 publication. See Office Action at 2. Applicants amended Figure 3 to clearly label the bipolar sheet (102).

The '747 publication at paragraph [0021] also describes the bipolar sheet (102) as being "formed by a central metallic body (110), ... integrated in a frame (111) made of polymeric material." *Id.* at paragraph [0021]. As shown in the amended Figure 3, the bipolar sheet (102) comprises the central metallic body (110) and the frame (111).

Figure 3 is also amended to reduce the apparent thickness of the frame so that the frame (111) does not appear to be attached to the current collector (106). The amendment is fully supported by in the description, which sets forth that "[t]he frame (111) is laid on the central metallic body (110) by moulding or gluing." *Id.* at paragraph [0021].

Amendments are made to Figure 7 to correct two inadvertent errors. According to the description, Figure 7 represents a side-view of the bipolar sheet of Fig. 6 from the C-C direction. *Id.* at paragraph [0026]. The original Figure 7, however, shows the mirror image of the view from the C-C direction. In addition, the original Figure 7 shows openings (131) and (132) as exposed along C-C line in Figure 6. As shown in Figure 8, openings (131) and (132) should be hidden from the view in the C-C direction and should be drawn as such. Amendments to Figure 7 correct these two errors. Support for the amendments are found in Figures 6 and 8, as well as in paragraph [0026] in the '747 publication.

Figure 9 contains two similar errors. First, the original Figure 9 is the mirror image of its view along the C-C direction. See the '747 publication, paragraph [0027]. In addition, openings (113a) and (113b) should be hidden from the view in the C-C direction and should be drawn as such. *Id.* Figure 10. Amendments to Figure 9 correct these two errors. Support for the amendments are found in Figure 10, as well as in paragraph [0027] in the '747 publication.

Likewise, Figure 12 contains two errors. First, the original Figure 12 is the mirror image of its view along the F-F direction in Figure 11. *Id.* paragraph [0027] and Figure 11. Second, openings (131) and (132) should be hidden from the view in the F-F directions. Amendments to Figure 12 correct these two errors. Support for the amendments are found in Figures 11 and 13, as well as in paragraph [0027] in the '747 publication.

IV. Claim Rejections under 35 U.S.C § 112, first paragraph

Claims 1-24 are rejected under 35 U.S.C. § 112, first paragraph, because the specification allegedly fails to “provide enablement for a plurality of cooling cells interposed between two reaction cells.” See Office Action at 2. Applicants respectfully disagree. Figure 3 shows two cooling cells (120), two reaction cells (101), and their positional relationship with each other. The disclosure in Figure 3 alone provides enablement for placing together a plurality of cooling cells and reaction cells. The description in paragraph [0020] as well as Figure 2 in the '747 publication provide additional support for enablement.

It is also alleged that the specification does not reasonably “provide enablement for a plurality of bipolar sheets located between two reaction cells and a plurality of

bipolar sheets located between two cooling cells.” Office Action at 2-3. First, the amended claim 1 more clearly defines the relationship among the bipolar sheets, the reaction cells, and the cooling cells. Figure 3, paragraph [0020], as well as Figure 2 provide enablement for a plurality of bipolar sheets between the reaction cells and cooling cells by clearly showing their positional relationship.

Accordingly, claim 1 is enabled. Claims 2-24 do not present enablement issues of their own but are rejected due to their dependency from claim 1. Consequently, claims 2-24 are also enabled because claim 1 is enabled. Applicants respectfully request the withdrawal of the rejections.

V. Claim Rejections under 35 U.S.C § 112, second paragraph

Claims 1-24 are rejected under 35 U.S.C. § 112, second paragraph, “as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.” Office Action at 3.

Applicants have amended claim 1 to more particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants submit that the amendments to claim 1 render this rejection moot. Claims 2-24 are rejected solely because of their dependency from claim 1. Accordingly, claims 2-24 are definite because claim 1 is definite. Applicants respectfully request the withdrawal of the rejections.

VI. Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 27, 2009

By: 

Mark D. Sweet
Reg. No. 41,469